

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francis W. Daly, Jr.

Attorney Docket No. HOOO-1-1126

Serial No.: 10/823,951

Group Art Unit: 2857

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Examiner GUTIERREZ, A.

Title: WEATHER INCIDENT PREDICTION

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

TO THE COMMISSIONER OF PATENTS:

AMENDMENT AND RESPONSE

Sir,

Pursuant to the Notice of Appeal dated December 19, 2005, the Notification of Non-Compliance with the Requirements of 37 CFR 11.37(c) dated February 9, 2006, and the Notification of Non-Compliant Appeal Brief mailed April 23, 2007, please enter the following amendments to the Appeal Brief submitted December 21, 2005 and amended April 11, 2006:

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1) Claims 1 and 3-387 are rejected under 35 USC § 103(a) as being obvious over US Patent 5,974,360 to Otsuka, et al. in view of US Patent 5,615,118 to Frank, and further in view of US Patent 5,077,558 to Kuntman.

(8) ARGUMENT

1) Rejection of Claims 1 and 3-387 under 35 U.S.C. § 103

(10) APPENDIX OF EVIDENCE RELIED UPON BY APPELLANT

None.

(11) APPENDIX OF COPIES OF RELATED APPEALS AND INTERFERENCES

None.